

June 24th, 2010

California Energy Commission

Attn: Eric Solorio

1516 Ninth Ste, MS-15

Sacramento, CA 95814

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We the Steering Committee for the Ridgecrest Field office of the Bureau of Land Management [BLM] have decided that we would like to go on record as being opposed to the siting, building, and operation of the Solar Millenium power plant [RSPP] currently under review in your office. As indicated in the draft EIS, this project has a number of serious issues which we will first note here, then discuss in more detail below. They are:

1. Use of 600.000 gallons of water a day during construction
2. Use of 200,000 gallons of water a day during operations
3. Use of 191,000 gallons of propane a year
4. Disturbance of 2000 acres of top soil known to have the spores that cause valley fever
5. Proximity of the disturbed soil to human population that includes children and the elderly.
6. Disturbance of 2000 acres of prime desert tortoise habitat
7. Loss of 2000 acres of recreational opportunities
8. Cumulative impacts of this project when added to all the other proposed alternative energy projects in the area.

A. Solar Millenium's solar project is NOT 'green' alternative energy. It is highly consumptive.

1. Water. The proposal as it stands still calls for contemplated use of 200,000 gallons of water A DAY! [B.1-26, B.1-27] This is after a sustained public outcry from the local community over the sensitive subject of water caused the company to switch from water cooled cooling towers to air cooled ones.

2. This is in addition to a projected use of water as much as THREE times higher during the construction phase of the project. The local water supply is already in an overdraft situation, and a recent Navy comment on this project shares the concern that this project will exacerbate this serious problem.
3. Fuel. The project as it stands will require the use of propane to keep the heat-transferring High Temperature Fluid [HTF] near operating temperature overnight. Propane use is projected to be approximately 1000 gallons a day [C.18], with a permitted limit of 191,000 gallons a year. This is not fuel use for the entire project, but just for ONE PROCESS in the project. Overall fuel use can reasonably be expected to be quite higher, given the number of operations involved.

B. The Draft EIS does not comply with CEQA and NEPA in principle with regards to the issues with the specific proposed project and site.

1. NEPA requires that a FEDERAL agency provide primary oversight and control over projects occurring on Federal lands. The nature of the cooperative agreement between the BLM and the CEC switches these roles, giving primary responsibility for reviewing the scope and impacts of this project to the CEC. Not only is this inappropriate in respect to the letter of NEPA, but as applied to this project it is obvious that the analysis of the impacts of the project has not been analyzed against the backdrop of BLM's responsibilities. In the past, when proposals of this magnitude on BLM land were considered, the discussion would start with a general overview of BLM's responsibilities under FLPMA. Then it would proceed into a meaningful review of how the proposal fits into the various aspects of those responsibilities. This DEIS in contrast pays only lip service to that discussion, foregoing meaningful analysis. The DEIS does indicate at several points that timeliness is an issue with the RSPP [B.2-71] and it is our sincerest hope that in the pressures of time will not preclude staff from taking the time to do this fundamental analysis and include it in their FEIS.
- 2..Both the letter and the spirit of CEQA and NEPA require a discussion of

consequences and alternatives that will allow the public and decision makers a meaningful opportunity to evaluate the proposal before them

3. The statistics regarding the water and fuel consumption are obscured from meaningful evaluation by constantly being referred to in non-layman's terms [i.e. the water is only listed in acre-feet, the propane in BTU] These usages should be spelled out in statistics readily understandable by ordinary people.

4. A full and frank analysis of the proposed site would identify the issue of valley fever in the proposed site, not have the discussion minimized by discussing it in the Garlock alternative site. [B.2-34] A full and frank discussion of the valley fever issue would involve an analysis of the calculus of risk, that is the probability and magnitude of the risk weighed against the cost of prevention. This calculus was done on the desert tortoise, but ironically, not for the human population!

The calculus would start with a discussion of quality and quantity as it relates to dust, and would include statistics on the likely amounts of spores in the topsoil. Then it would proceed to a discussion on the quantity of wind energy and direction in the area as it relates to moving the spores. Then the analysis would discuss the proximity of the human population to the site, as it relates to the probability and magnitude of harm.

Instead, the DEIS only talks about the applicant's plans to control dust at the site, providing no meaningful discussion about what happens if the dust control measures prove inadequate.

5. A full and frank analysis of the proposed site would identify the issue of unexploded ordinance in the proposed site, not have the discussion minimized by referring to the issue as a sidebar in the Garlock alternative. [B.2-42]

6. A full and frank analysis of the proposed site would identify the issue of secondary dust generation, which is the dust GENERATED by the company twice a week when they propose washing off the mirrors. This is not a

natural occurrence, but a man-made accumulation that is separate from the dust from disturbed soils. Are there differences in the composition of dust [ability to bond and compact] that might change once it has effectively been burned from sitting on the mirrors. We do not know the answer because no one has even addressed the question.

7. A full and frank analysis of the proposed site would identify the issue of pollution from the gradual decomposition of the mirrors and the fact that the company proposes to let the water from the mirror washing just seep into the ground. We do not know the composition of the mirrors, what their useful life expectancy is, or if they are susceptible to decomposition. Since the rinse water will go directly into the ground [B.1-28: "with no appreciable runoff"], these are important things to know.

8. A full and frank analysis of the proposed site would not attempt to minimize the presence of wind in the area as it pertains to frequency, intensity and effects on the surrounding community. At ppC.1-13, wind in the area is characterized as "exceptional events" We find it highly ironic that it should be characterized this way for the purposes of this project when there are 20 other projects in the area banking on the probability that the wind is NOT an exceptional event!

C. The Draft EIS does not comply with CEQA and NEPA with regards to a full and frank discussion of alternative sites.

1. Preference is to be given to land that has already had 'disturbance.'

2. The Garlock alternative has just such a disturbance.

3. NOT located nearly as close to communities and individuals as the RSPP proposed site.[B.2-32]

4. DEIS discussion of the site does not indicate it has the wildlife issues [ground squirrel, tortoise] that the RSPP has.[B.2-26]

D. The Draft EIS does not comply with CEQA and NEPA with regards to a full and frank discussion of alternative energy sources.

1. Wind energy will NOT require the consumption of 200k gallons of water a day OR 1000 gallons of propane. [[B.2-66, B.2-73]
2. Wind energy will not have to provide analysis of hazmat containment for miles of HTF fluid and diesel used for plant generators.
3. Wind energy will not have to provide analysis of CO2 or ozone generation.
4. Distributed PV energy is summarily dismissed as an alternative based on timeliness [B.2-71] This makes it sound as if the decision makers MUST make a decision on this project based on whether or not it is the best option on the table TODAY, without regard for the long-term development of projects in the area.

E. There are other specious assertions of this nature in the DEIS, such as the one that approval of the RSPP will add to the diversity of California's energy portfolio [b.2.-73]. This is a misplaced attempt to use the shield of diversity [used in affirmative action] to protect the project from full and fair comparison against its competition in the marketplace based solely on its merits.

F. The DEIS acknowledges an unmitigatable impact on a prime Desert Tortoise [DT] habitat. The staff of the CEC states at several points in the DEIS that they cannot support the project because of this impact. [pg 20, pg B.2-1, B.2-95] The DEIS correctly notes that the DT has special status in the California desert, and that the project site is part of a prime area for the DT, containing not only an unusually high density, but in a ratio of juveniles to adults "that provides evidence of a successful breeding group..." [C.2-19]

G. The southern project area sits squarely within the northern gateway to the El Paso Mountains, one of the most popular recreational destinations in the Desert District. What is most important and unique about this recreational access point is the exceptional quality and variety of activities within. The 4WD & OHV touring opportunities are exceptional, gem & mineral collecting is renowned, history seeking is very popular, upland game bird hunting is arguably the best in the Desert District. BLM has not yet completed the El Paso Collaborative Access Planning Area (CAPA)

process mandated by the 2005 West Mojave Plan (WEMO). This unique planning process was specifically created to designate motorized routes in the El Paso and Ridgecrest WEMO subregions. An official BLM survey team has just recently collected comprehensive data on all existing motorized routes within this CAPA and that data needs to serve as the baseline network for considering any rerouting of access routes necessitated by this project.

In conclusion, we would like to re-emphasize that we are not opposed to renewable energy in the Ridgecrest area. We are opposed to a highly resource-consumptive project with sustained impacts being sited in an environmentally sensitive area, both with regards to wildlife and its proximity to humans.

Respectfully submitted,



CHAIRMAN STEERING COM.

DON J. MCKERNAN
